

CAUSE NO. 2020DCV-3087-H

PASCUAL ALVARADO,	§	IN THE _____
PLAINTIFF	§	
	§	
VS.	§	DISTRICT COURT
	§	
MINERVA MARINE, INC., AND	§	
ALEXANDRA MARITIME, SA,	§	
DEFENDANTS	§	NUECES COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

COMES NOW, Plaintiff, Pascual Alvarado, (hereinafter sometimes referred to as "Alvarado" or "Plaintiff"), and files this his Original Petition, complaining of Defendants Minerva Marine, Inc., and Alexandra Maritime, SA for cause of action would show as follows:

PARTIES

1. Plaintiff, Pascual Alvarado, is an individual that is a resident of Cameron County, Texas.

2. Defendant, Minerva Marine, Inc., is a foreign corporation/company formed and existing under the laws of Greece and whose principal place of business is 141-143, Vouliagmenis Avenue, Voula 155 73, Athens, Greece. Minerva Marine, Inc., is not registered or certified to do business in Texas by the Secretary of State of Texas and does not maintain a registered agent or office in the State of Texas, but which entered Texas to do business and while therein committed the acts or omissions that form the basis of this Petition. Defendant may be served with process at its headquarters located at 141-143, Vouliagmenis Avenue, Voula 155 73, Athens, Greece pursuant to the Hague Service Convention.

3. Defendant, Alexandra Maritime, SA, is a foreign corporation/company formed and existing under the laws of Greece and whose principal place of business is c/o Minerva Marine, Inc., 141-143, Vouliagmenis Avenue, Voula 155 73, Athens, Greece. Alexandra Maritime SA is

EXHIBIT A-2

not registered or certified to do business in Texas by the Secretary of State of Texas and does not maintain a registered agent or office in the State of Texas, but which entered Texas to do business and while therein committed the acts or omissions that form the basis of this Petition. Defendant Alexandra Maritime, SA, was the owner of M/V MINERVA JULIE at all times relevant to this Complaint. Defendant may be served with process at its headquarters located c/o Minerva Marine, Inc., 141-143, Vouliagmenis Avenue, Voula 155 73, Athens, Greece pursuant to the Hague Service Convention.

JURISDICTION

4. This action is being brought against Minerva Marine and Alexandra Maritime, SA, pursuant to Texas common law and General Maritime Law. Jurisdiction is proper in the Court under General Maritime Law and pursuant to the “saving to suitors” clause. Jurisdiction is proper in this Texas court because the amount of damages sought exceeds the minimum jurisdictional limits of this Court. Pursuant to the requirements of Tex. R. Civ. P. 47, Plaintiff declares that he seeks monetary relief in excess of \$1,000,000.

VENUE

5. Venue is proper in this Court pursuant to Section 15.002(a)(1), TEX. CIV. PRAC. & REM. CODE because a substantial part of the events or omissions giving rise to this claim occurred in this County. Specifically, inter alia, the events and omissions giving rise to this claim occurred in Nueces County, Texas, and aboard the M/V MINERVA JULIE while at anchorage at Corpus Christi, Nueces County, Texas.

FACTS

6. On June 18, 2019, Pascual Alvarado was working as a welder aboard the M/V MINERVA JULIE. The Minerva Julie is a motorized vessel owned by Defendant Alexandra

Maritime, SA, and managed and operated by Defendant Minerva Maritime, Inc. Alvarado was an employee of Alpha Mar Group, Inc., and had traveled by boat to the vessel. While on the vessel, Alvarado was directed by the Master to work under extreme conditions, in extreme heat, in a closed space, where he was provided only warm water. After working for several hours under those conditions, Alvarado was allowed to go to the galley. Shortly after arriving in the galley, he fainted as a result of overheating and fatigue. He struck his head on an object as he fell to the ground unconscious. He sustained significant injuries and was helicoptered to Corpus Christi for medical treatment.

**NEGLIGENCE/MARITIME TORTS OF MINERVA MARINE, INC.,
AND ALEXANDRA MARITIME, SA**

7. Alvarado realleges the allegations in paragraphs 1-4 above. Minerva Marine, inc., and Alexandra Maritime, SA, acting through their agents, servants and employees, including their Master, who were working on the M/V MINERVA JULIE, a vessel owned by Alexandra Maritime, SA, and operated and/or managed by Minerva Marine, Inc., negligently directed Pascual Alvarado to work in in extreme and unsafe conditions, resulting in severe personal injuries.

DAMAGES

8. As a result of the negligent actions set out above, Plaintiff, Pascual Alvarado, sustained severe and permanently disabling injuries to his body and mind, more particularly significant injuries to his head, which have caused and will continue to cause severe physical, emotional and mental pain and anguish and distress; Plaintiff has sustained a permanent disability and loss of physical function; he has been rendered unable to return to his former employment, he has incurred loss of wages and loss of earning capacity; he has incurred and will

incur medical expenses, past, present and future; all for which Plaintiff, Pascual Alvarado is entitled to recover as damages.

REQUEST FOR DISCLOSURES

9. Pursuant to Texas Rule of Civil Procedure 194, Plaintiff requests that Defendants disclose, within 50 days of service of this request, the information or material described in Rule 194.2

PRAYER

Wherefore, Plaintiff, Pascual Alvarado, prays that the Court enter judgment against Defendants in the amount of in excess of the jurisdictional limits of the Court, together with interest and costs and that Plaintiff be granted all such other and further relief as the Court may deem just and proper.

Respectfully submitted:

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